

REMARKS

This Application has been reviewed in light of the Office Action mailed April 21, 2005. All pending Claims 1-45 were rejected in the Office Action. For at least the reasons provided below, Applicants respectfully request reconsideration and allowance of all pending claims.

Section 102 Rejections

Claims 1, 6, 8-9, 11-12, 14-17, 22, 24-25, 27-28, 30-31, 36, 38-39, 41-42, and 44-45 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,381,321 issued to Brown et al. ("Brown").¹

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); MPEP § 2131 (*emphasis added*).

Claim 1 of the present Application recites the following:

A method for sharing distributed media resources, comprising:
determining at a first call manager that a telephony device controlled by the first call manager requires the use of a media resource device;
selecting an appropriate media resource device from a media resource group list associated with the telephony device; and
communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.

Independent Claims 15, 31, and 45 recite similar, although not identical, limitations.

¹ The summary of this rejection on page 2 of the Office Action indicates that Claims 2, 7, 13, 18, 23, 29, 32, 37 and 43 are also rejected as being anticipated by *Brown*; however, Applicants assume this summary to be in error since these claims are now rejected under 35 U.S.C. § 103.

Brown does not anticipate Claim 1 (or Claims 15, 31 and 45) at least because it does not disclose “communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.” In the main text of the rejection, the Examiner asserts that this limitation is disclosed at Column 9, lines 24-28 of *Brown*. This passage discloses that a connection management module of the telecommunication service system of *Brown* determines the most efficient path for connection between a telephone and the PSTN. This is not a disclosure of any device processes. It is also not a disclosure of a second call manager controlling a selected media resource device. Even if it is assumed for the sake of argument that the telecommunication service system 110 of *Brown* is a first call manager, there is certainly no disclosure of a second call manager controlling a selected media resource device, as recited in the claims of the present application. Furthermore, since there is no disclosure of a second call manager controlling a selected media resource device, there is also no disclosure of an allocation message communicated to a second call manager, and certainly no disclosure of communicating such a message to a device process executing at a second call manager.

Furthermore, in the “Response to Arguments” section of the Office Action, the Examiner asserts that *Brown* discloses multiple manager modules operating on the same system. Applicants are unclear whether the Examiner is referring to the multiple modules of a single telecommunication service system 110 (for example, modules 425, 430, 435, 440, and 445) or whether the Examiner is referring to the multiple telecommunication service systems 110 and 110’ of Figure 1 of *Brown*. In either case, there is no disclosure of a first call manager that controls a telephony device requiring a media resource device and a separate, second call manager controlling the media resource device. Instead, *Brown* discloses that a single resource manager 440 of a telecommunication service system 110 controls all the resources in the telecommunication system 100. There is no disclosure of one manager module within a telecommunication service system 110 controlling a telephony device and another manager module within the same telecommunication service system 110 controlling a media resource device. There is also no disclosure of a resource manager 440 of a telecommunication service system 110 controlling a telephony device and a resource

manager 440 of another telecommunication service system 110' controlling a media resource device. In fact, there is no clear disclosure of the purpose of system(s) 110'. In any case, there is no disclosure of an allocation request that is sent from one telecommunication service system 110 or 110' to another such system requesting a resource device and there is certainly no disclosure of the communication of such a request to a device process associated with the selected resource device.

For at least these reasons, Applicants submit that *Brown* does not anticipate Claim 1. Furthermore, Claims 15, 31, and 45 include similar limitations and thus are also allowable for similar reasons. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 15, 31, and 45.

In addition to their dependence on one of the allowable independent claims discussed above, Claims 14, 30, and 44 are also allowable because *Brown* does not disclose receiving a media resource group list associated with a telephony device *from the telephony device*. The passage cited by the Examiner discloses restricting access to particular applications to all of subsets of telephone sets. There is simply no disclosure of anything even related to the limitations of these claims. Therefore, Applicants respectfully request reconsideration and allowance of Claims 9, 25, and 39 for at this additional reason.

Section 103 Rejections

Claims 2, 18, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 6,512,918 issued to Malomsoky. In addition, Claims 3-5, 19-21, and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 5,757,781 issued to Gilman et al. Furthermore, Claims 10, 26, and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 6,687,234 issued to Shaffer. Each of these claims depends from one of the allowable independent claims discussed above. For at least this reason, Applicants respectfully request reconsideration and allowance of these claims.

The Office Action also rejects Claims 7, 23, and 37 under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 5,978,465 issued to Corduroy

(“*Corduroy*”). Claims 7, 23, and 37 are allowable because, in addition to their dependence on one of the allowable independent claims discussed above, neither *Brown* nor *Corduroy* disclose accessing a mapping table to determine a process identification (PID) associated with a selected device name, the PID identifying a device process associated with the media resource device identified by the device name, or communicating the allocation request to the device process using the PID. The Examiner asserts that these limitations are disclosed at Column 7, lines 18-42 and Figure 5 of *Corduroy*. However, the table of Figure 5 and the associated description does not disclose any PIDs of device processes, much less PIDs of device processes that are associated with an identified resource device, as required by these claims. Furthermore, there is no disclosure of communicating any type of messages using a PID. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 7, 23, and 37.

Furthermore, Claims 13, 29, and 43 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 7,959,854 issued to *Cave* (“*Cave*”). Claims 13, 29, and 43 are allowable because, in addition to their dependence on one of the allowable independent claims discussed above, neither *Brown* nor *Corduroy* disclose receiving an allocation response from a device process indicating that a selected media resource device is unavailable, selecting a second appropriate media resource device from a media resource group list, or communicating an allocation request to a second device process associated with the second media resource device. The Examiner asserts that these limitations are disclosed at Column 4, lines 30-52 of *Caves*. However, like *Brown*, *Caves* discloses a *single* resource manager that controls a number of resources (*see Col. 3, lines 54-68*). Therefore, there is no disclosure in *Caves* of any response from a device process associated with a *second* resource manager. Also, there is no disclosure of an allocation request to a second device process for similar reasons. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 13, 29, and 43.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

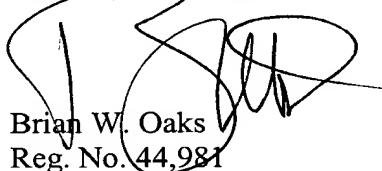
If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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Date: July 19, 2005

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